



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

DAMIEN NICHOLAS TANCREDI, ESQUIRE (DT 1383)
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Counsel for Debtors-in-Possession,

Order Filed on February 13, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:

SMS Enterprises, Inc.¹

Debtor.

Honorable Andrew B. Altenburg, Jr.

Chapter 11

Bankr. No. 19-21332 (ABA)

Jointly Administered

ORDER GRANTING ALLOWANCES AND GRANTING MOTION FOR POST-PETITION RETAINER IN PART

The relief set forth on the following page is hereby ORDERED.

DATED: February 13, 2020



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

¹ The Debtors in these jointly administered cases, along with the associated case numbers, are *SPS Enterprises, Inc.*, Case No. 19-21330, *ETA Enterprises, Inc.*, Case No. 19-21331, and *SMS Enterprises, Inc.*, Case No. 19-21332.

Page 2

SMS Enterprises, Inc. *et al.*

Case No. 19-21332

Order Granting Allowances and Granting Motion for Post-Petition Retainer in Part

The Court having found that the person(s) named below filed application(s) for allowances (the “Fee Application”); and Richard Gerace having file a Motion for an Order Approving Retention of a Post-Petition Retainer (the “Retainer Motion”); and notice for opportunity for hearing were given to creditors and other parties in interest as required; and it appearing that Richard Gerace collectively received \$50,000.00 in retainer payments from the Debtors; from the and for good cause shown; it is ORDERED;

1. The Fee Application is Granted in Part and Denied in Part.
2. Richard Gerace is allowed \$8,849.49 in compensation.
3. Richard Gerace is allowed \$24,150.51 in expenses.
4. Richard Gerace shall pay the sum of \$17,000.00 to the Debtors’ estate, in care of

their counsel, within five (5) business days of the entry of this Order. This sum shall be apportioned equally between the three Debtors.

5. Richard Gerace, and any other person or entity on his behalf, hereby waives his/ their rights to seek any additional compensation from the Debtor and/or the Debtors’ estates.

6. The Retainer Motion is Granted to the extent required to facilitate the payments specified in this Order. The Retainer Motion is Denied in all other respects.